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| EXAMINER | |
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| CRAWLEY, TALIA F | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/509,771 | BEARDOW, PAUL ROWLAND | |
| | Examiner | Art Unit | |
| | TALIA CRAWLEY | 3687 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) 34-81 is/are pending in the application.

4a) Of the above claim(s) 34-81 is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 82-129 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 28 September 2004 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

### *Prosecution History Summary*

- Claims 34-129 are pending in the instant application.
- Claims 34-81 have been cancelled per Applicant's submission dated 11/26/2008.
- Claims 82-129 have been newly added per Applicant's submission dated 11/26/2008.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 82-129 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burke (US Patent No 6,304,855) in view of Kerret (International Publication No WO01/69364).

**As per claim 82**, Burke discloses a method for displaying images of an object, comprising:

sending over a mobile telephone system one or more images of the object to a mobile receiver device, said receiver device comprising a screen for displaying the one or more images;

displaying a first image of the object on the screen, at said receiver device, for possible selection, as a background perspective; advancing the first image of the object to a foreground perspective on said screen if the image is selected; and

providing, in the receiver device, at least one other selectably displayable image of a foreground perspective of the selected object , but does not explicitly disclose manipulating, at the receiver device in use, said one or more images of the object without the need for a feedback path to the mobile telephone system.

However, Kerret discloses a similar method, which method of Kerret indeed includes manipulating, at the receiver device in use, said one or more images of the object without the need for a feedback path to the mobile telephone system (see for example pages 6 and 7).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the method of Burke so as to have included manipulating, at the receiver device in use, said one or more images of the object without the need for a feedback path to the mobile telephone system, in accordance with the teaching of Kerret, in order to enable the user to manipulate an image on the mobile device without signal propagation, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

**As per claim 83**, Burke discloses a method, according to claim 82, wherein said step of sending one or more images to a receiver device includes sending constructable sets of parts of each image to said receiver and constructing each set of parts to form each image (see for example column 2, lines 56-59).

**As per claim 84**, Burke discloses a method, according to claim 83, wherein said step of sending a constructable set of parts of each image includes: sending a wire frame specification for a wire frame representative of the shape of the object that the image is intended to represent; and sending a textured skin specification for the provision on the wire frame of a textured skin representative of the appearance of the object the image is intended to represent (see for example column 6, lines 36-45).

**As per claim 85**, Burke discloses a method, according to claim 84, wherein said step of sending a wire frame includes sending a specification of the points of a starting mesh and sending dividing means arranged successively to divide the mesh to provide a frame having the shape of the object (see for example column 8, lines 54-61).

**As per claim 86,** Burke discloses a method, according to claim 83, wherein the providing step is achievable by viewing the constructed image from a selectable direction (see for example column 11, lines 11-14).

**As per claim 87,** Burke discloses a method, according to claim 83, wherein said providing step is achievable by viewing the constructed image from a selectable distance (see for example column 9, lines 20-22).

**As per claim 88**, Burke discloses a method, according to claim 82, wherein said sending step includes supplying a representation of a first photograph of the object (see for example column 4, lines 36-38).

**As per claim 89**, Burke discloses a method, according to claim 82, wherein said providing step supplying, to the receiver device, at least one representation of a second photograph of the object, from a different viewpoint (see for example column 3, lines 65-67 and column 4, lines 1-4).

**As per claim 90**, Burke discloses a method, according to claim 82, wherein said object is one of a plurality of objects, and the method further comprises moving images of each of the plurality of objects across a background area until selected for foreground display (see for example column 7, line 67 and column 8, lines 1-3).

**As per claim 91**, Burke discloses a method, according to claim 82, wherein said advancing step includes: increasing the size of the first image, but does not explicitly disclose causing the first image to obscure any image which it overlaps and which is still in the background.

However, causing said second image to obscure any image which it overlaps and which is still in the background is well known to those of ordinary skill in the art, and official notice to that effect is hereby taken

It would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the method of Burke so as to have included causing said second image to obscure any image which it overlaps and which is still in the background in order to enable the user to view and enlarged version of a selected image, since doing so could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

**As per claim 92**, Burke discloses a method, according to claim 82, wherein said displaying step includes: substituting said second image for said first image; increasing

the size of said second image, but does not explicitly disclose causing said second image to obscure any image which it overlaps and which is still in the background.

However, causing said second image to obscure any image which it overlaps and which is still in the background is well known to those of ordinary skill in the art, and official notice to that effect is hereby taken

It would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the method of Burke so as to have included causing said second image to obscure any image which it overlaps and which is still in the background in order to enable the user to view and enlarged version of a selected image, since doing so could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

**As per claim 93**, Burke discloses a method, according to claim 86, wherein said displaying step includes: substituting said second image for said first image; increasing the size of said second image, but does not explicitly disclose causing said second image to obscure any image which it overlaps and which is still in the background.

However, causing said second image to obscure any image which it overlaps and which is still in the background is well known to those of ordinary skill in the art, and official notice to that effect is hereby taken

It would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the method of Burke so as to have included causing said

second image to obscure any image which it overlaps and which is still in the background in order to enable the user to view and enlarged version of a selected image, since doing so could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

**As per claim 94**, Burke discloses a method, according to claim 87, wherein said displaying step includes: substituting said second image for said first image; increasing the size of said second image, but does not explicitly disclose causing said second image to obscure any image which it overlaps and which is still in the background.

However, causing said second image to obscure any image which it overlaps and which is still in the background is well known to those of ordinary skill in the art, and official notice to that effect is hereby taken

It would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the method of Burke so as to have included causing said second image to obscure any image which it overlaps and which is still in the background in order to enable the user to view and enlarged version of a selected image, since doing so could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

**As per claim 95**, Burke discloses a method, according to claim 89, wherein said displaying step includes: substituting said second image for said first image; increasing

the size of said second image, but does not explicitly disclose causing said second image to obscure any image which it overlaps and which is still in the background.

However, causing said second image to obscure any image which it overlaps and which is still in the background is well known to those of ordinary skill in the art, and official notice to that effect is hereby taken

It would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the method of Burke so as to have included causing said second image to obscure any image which it overlaps and which is still in the background in order to enable the user to view and enlarged version of a selected image, since doing so could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

**As per claim 96**, Burke discloses a method, according to claim 82, wherein manipulation of images of objects is accepted, displayed, moved and allowed as equivalent entities, in said receiver device, irrespective of what that image might be (see for example column 2, lines 36-42).

**As per claim 97**, Burke discloses a method, according to claim 86, wherein manipulation of images of objects is accepted, displayed, moved and allowed as equivalent entities, in said receiver device, irrespective of what that image might be (see for example column 2 lines 36-42).

**As per claim 98**, Burke discloses a method, according to claim 82, wherein the step of advancing the first image of the object to a foreground perspective includes the steps of:
monitoring the nature of the goods represented by the objects, selected for foreground display;
detecting the direction of change of the nature of classification of selected goods away from the current preference; and
providing, to the receiver device, a next batch of images whose classification is moved, from the current preference, in the detected direction (see for example column 9, lines 53-63).

**As per claim 99**, Burke discloses a method, according to claim 82, wherein the object for display on the screen is one of a plurality of objects , but does not disclose the sending step comprising transmitting a set of images relating to the plurality of objects to the mobile receiver device upon receiving a request from the receiver device.

However, Kerret discloses a similar method, which method of Kerret indeed includes the sending step comprising transmitting a set of images relating to the plurality of objects to the mobile receiver device upon receiving a request from the receiver device (see for example pages 6 and 7).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the method of Burke so as to have included the sending step comprising transmitting a set of images relating to the plurality of objects

to the mobile receiver device upon receiving a request from the receiver device, in accordance with the teaching of Kerret, in order to enable the user to manipulate an image on the mobile device away from a stationary computing device, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

**As per claim 100**, Burke discloses a system for displaying images of an object, said system comprising:

a mobile receiver device, said receiver device comprising a screen for displaying one or more images; transmission means, operative to transmit, over a mobile telephone system, the one or more images of the object to said receiver device;

means, at said receiver device, to display a first image of the object, as a background perspective, on the screen for possible selection; advancing means to advance the first image of the object to a foreground perspective on said screen if the image is selected; and providing means to provide, in said receiver device, at least one other selectably displayable image of a foreground perspective of the selected object , but does not explicitly disclose wherein the receiver device is capable of manipulating the one or more images of the object without the need for a feedback path to the mobile telephone system.

However, Kerret discloses a similar system, which system of Kerret indeed includes wherein the receiver device is capable of manipulating, at the receiver device

in use, said one or more images of the object without the need for a feedback path to the mobile telephone system (see for example pages 6 and 7).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the system of Burke so as to have included wherein the receiver device is capable of manipulating, at the receiver device in use, said one or more images of the object without the need for a feedback path to the mobile telephone system, in accordance with the teaching of Kerret, in order to enable the user to manipulate an image on the mobile device without signal propagation, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

**As per claim 101**, Burke discloses a system, according to claim 100, wherein said transmission means includes means for sending constructable sets of parts of each image to said receiver device and means for constructing each set of parts to form each image (see for example column 6, lines 28-45).

**As per claim 102**, Burke discloses a system, according to claim 101, wherein said constructable set of parts of each image includes: a wire frame specification for a wire frame representative of the shape of the object that the image is intended to represent; and a texture skin specification for the provision on the wire frame of a textured skin

representative of the appearance of the object the image is intended to represent (see for example column 6, lines 36-44).

**As per claim 103**, Burke discloses a system, according to claim 102, wherein said wire frame specification includes a starting mesh specification of the points of a starting mesh and dividing means arranged successively to divide the mesh to provide a frame having the shape of the object (see for example column 8, lines 40-65).

**As per claim 104**, Burke discloses a system, according to claim 100, including means to display said at least one other selectably displayable image of a foreground view of the object by viewing the constructed image from a selectable direction (see for example column 11, lines 11-14).

**As per claim 105**, Burke discloses a system, according to claim 100, including means to display said at least one other selectably displayable image of a foreground view of the object by viewing the constructed image from a selectable distance (see for example column 9, lines 26-35).

**As per claim 106**, Burke discloses a system, according to claim 100, wherein said transmission means includes means to provide a representation of a first photograph of the object (see for example column 3, lines 57-67).

**As per claim 107**, Burke discloses a system according to claim 100, wherein said providing means includes sending means for sending, to the receiver device, at least one representation of a second photograph of the object, from a different viewpoint (see for example column 3, lines 65-67 and column 4, lines 1-4).

**As per claim 108**, Burke discloses a system, according to claim 100, wherein said object is one of a plurality of objects, images of each of the plurality of objects being moveable across a background area until selected for foreground display (see for example column 3, lines 63-65).

**As per claim 109**, Burke discloses a system, according to claim 100, wherein said advancing means comprises: means for increasing the size of the first image; and means to cause the first image to obscure any image which it overlaps and which is still in the background (see for example column 9, lines 19-35).

**As per claim 110**, Burke discloses a system, according to claim 100, wherein said providing means comprises: means to substitute said second image for said first image; means to increase the size of said second image; and means to cause said second image to obscure any image which it overlaps and which is still in the background (see for example column 9, lines 19-35).

**As per claim 111**, Burke discloses a system, according to claim 104, wherein said providing means comprises: means to substitute said second image for said first image; means to increase the size of said second image; and means to cause said second image to obscure any image which it overlaps and which is still in the background (see for example column 9, lines 19-35).

**As per claim 112**, Burke discloses a system, according to claim 105, wherein said providing means comprises: means to substitute said second image for said first image; means to increase the size of said second image; and means to cause said second image to obscure any image which it overlaps and which is still in the background (see for example column 9, lines 19-35).

**As per claim 113**, Burke discloses a system, according to claim 105, wherein said providing means comprises: means to substitute said second image for said first image; means to increase the size of said second image; and means to cause said second image to obscure any image which it overlaps and which is still in the background (see for example column 9, lines 19-35).

**As per claim 114**, Burke discloses a system, according to claims 100, wherein said receiver device comprises a fixed program for displaying images, said fixed program being operative to accept, display, move and allow manipulation of all images of objects

as equivalent entities, irrespective of what any particular image might be (see for example column 2, lines 36-42).

**As per claim 115**, Burke discloses a system, according to claim 104, wherein said receiver device comprises a fixed program for displaying images, said fixed program being operative to accept, display, move and allow manipulation of all images of objects as equivalent entities, irrespective of what any particular image might be (see for example column 2, lines 36-42).

**As per claim 116**, Burke discloses a system, according to claim 105, wherein said receiver device comprises a fixed program for displaying images, said fixed program being operative to accept, display, move and allow manipulation of all images of objects as equivalent entities, irrespective of what any particular image might be (see for example column 2, lines 36-42).

**As per claim 117**, Burke discloses a system, according to claim 107, wherein said receiver device comprises a fixed program for displaying images, said fixed program being operative to accept, display, move and allow manipulation of all images of objects as equivalent entities, irrespective of what any particular image might be (see for example column 2, lines 36-42).

**As per claim 118**, Burke discloses a system, according to claim 100, including:

monitoring means, operative to monitor the nature of the goods represented by the objects, selected for foreground display; trend detection means, operative to detect the direction of change of the nature of classification of goods, selected for foreground display, away from the current preference; and selection means, operative to provide, to the receiver device, a next batch of images whose classification is moved, from the current preference, in the detected direction (see for example column 8, lines 11-21).

**As per claim 119**, Burke discloses a system, according to claim 100, wherein the object for display on the screen is one of a plurality of objects, but does not disclose said transmission means being arranged to transmit a set of images relating to the plurality of objects to the mobile receiver device upon receiving a request from the receiver device.

However, Kerret discloses a similar system, which system of Kerret indeed includes the sending step comprising transmitting a set of images relating to the plurality of objects to the mobile receiver device upon receiving a request from the receiver device (see for example pages 6 and 7).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the system of Burke so as to have included the sending step comprising transmitting a set of images relating to the plurality of objects to the mobile receiver device upon receiving a request from the receiver device, in accordance with the teaching of Kerret, in order to enable the user to manipulate an

image on the mobile device away from a stationary computing device, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

**As per claim 120**, Burke discloses a system, according to claim 100, but does not explicitly disclose wherein said receiver device comprises a mobile telephone handset or a Personal Digital Assistant.

However, Kerret discloses a similar system, which system of Kerret indeed includes wherein said receiver device comprises a mobile telephone handset or a Personal Digital Assistant (see for example page 6, lines 27-32).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the method of Burke so as to have included wherein said receiver device comprises a mobile telephone handset or a Personal Digital Assistant, in accordance with the teaching of Kerret, in order to enable the user to view and purchase images remote from a stationary computing device, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

**As per claim 121,** Burke discloses a system, according to claim 114, but does not

explicitly disclose wherein said receiver device comprises a mobile telephone handset or a Personal Digital Assistant.

However, Kerret discloses a similar system, which system of Kerret indeed includes wherein said receiver device comprises a mobile telephone handset or a Personal Digital Assistant (see for example page 6, lines 27-32).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the method of Burke so as to have included wherein said receiver device comprises a mobile telephone handset or a Personal Digital Assistant, in accordance with the teaching of Kerret, in order to enable the user to view and purchase images remote from a stationary computing device, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

**As per claim 122,** Burke discloses a system, according to claim 100, but does not explicitly disclose wherein said transmission means comprises an Internet transmission device and wherein said receiver device comprises a receiver of Internet images.

However, Kerret discloses a similar system, which system of Kerret indeed includes wherein said transmission means comprises an Internet transmission device and wherein said receiver device comprises a receiver of Internet images (see for example page 6, lines 21-26).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the method of Burke so as to have included wherein said transmission means comprises an Internet transmission device and wherein said receiver device comprises a receiver of Internet images, in accordance with the teaching of Kerret, in order to enable the user to view and purchase images remote from a stationary computing device via the internet, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

**As per claim 123,** Burke discloses a system, according to claim 114, but does not explicitly disclose wherein said transmission means comprises an Internet transmission device and wherein said receiver device comprises a receiver of Internet images.

However, Kerret discloses a similar system, which system of Kerret indeed includes wherein said transmission means comprises an Internet transmission device and wherein said receiver device comprises a receiver of Internet images (see for example page 6, lines 21-26).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the method of Burke so as to have included wherein said transmission means comprises an Internet transmission device and wherein said receiver device comprises a receiver of Internet images, in accordance with the teaching of Kerret, in order to enable the user to view and purchase images

remote from a stationary computing device via the internet, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

**As per claim 124,** Burke discloses a system, according to claim 100, wherein said transmission means comprises a digital transmission device and wherein said receiver device comprises a receiver of digitally conveyed images (see for example column 4, lines 36-38 and column 5, lines 27-29).

**As per claim 125,** Burke discloses a system, according to claim 114, wherein said transmission means comprises a digital transmission device and wherein said receiver device comprises a receiver of digitally conveyed images (see for example column 4, lines 36-38 and column 5, lines 27-29).

**As per claim 126,** Burke discloses a mobile receiver device arranged, in use, to operate as the receiver device comprising:

means to display a first image of the object, as a background perspective, on a screen for possible selection;

advancing means to advance the first image of the object to a foreground perspective on said screen if the image is selected; and

providing means to provide at least one other selectably displayable image of a foreground perspective of the selected object (see for example column 9).

**As per claim 127,** Burke discloses a method of operating a mobile receiver device, said method comprising the steps of:

displaying a first image of the object, as a background perspective, on a screen for possible selection (see for example column 5, lines 28-29);

advancing the first image of the object to a foreground perspective on said screen if the image is selected (see for example column 9, lines 19-22); and

providing at least one other selectably displayable image of a foreground perspective of the selected object (see for example Figure 9).

**As per claim 128,** Burke discloses a transmission system, comprising:

transmission means, used to transmit one or more images of an object over a communications system to a mobile receiver device, the communications system comprising:

the mobile receiver device, said receiver device comprising a screen for displaying one or more images (see for example column 5, lines 51-55);

means, at said receiver device, to display a first image of the object, as a background perspective, on the screen for possible selection (see for example Figure 8);

advancing means to advance the first image of the object to a foreground perspective on said screen if the image is selected (see for column 9, lines 19-22); and

providing means to provide, in said receiver device, at least one other selectably displayable image of a foreground perspective of the selected object (see for example Figures 9 and 10), but does not explicitly disclose wherein the receiver device is capable of manipulating the one or more images of the object without the need for a feedback path to the mobile telephone system.

However, Kerret discloses a similar system, which system of Kerret indeed includes wherein the receiver device is capable of manipulating, at the receiver device in use, said one or more images of the object without the need for a feedback path to the mobile telephone system (see for example pages 6 and 7).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the system of Burke so as to have included wherein the receiver device is capable of manipulating, at the receiver device in use, said one or more images of the object without the need for a feedback path to the mobile telephone system, in accordance with the teaching of Kerret, in order to enable the user to manipulate an image on the mobile device without signal propagation, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

**As per claim 129,** Burke discloses a method of operating a transmission means used to transmit one or more images of an object to a mobile receiver device, comprising:

sending over a mobile telephone system one or more images of the object to a mobile

receiver device using a transmission means, said receiver device comprising a screen for displaying the one or more images (see for example column 5, lines 51-55); displaying a first image of the object on the screen, at said receiver device, for possible selection, as a background perspective; advancing the first image of the object to a foreground perspective on said screen if the image is selected (see for column 9, lines 19-22); and

providing, in the receiver device, at least one other selectably displayable image of a foreground perspective of the selected object (see for example Figures 9 and 10), but does not explicitly disclose manipulating, at the receiver device in use, said one or more images of the object without the need for a feedback path to the mobile telephone system.

However, Kerret discloses a similar method, which method of Kerret indeed includes manipulating, at the receiver device in use, said one or more images of the object without the need for a feedback path to the mobile telephone system (see for example pages 6 and 7).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have modified the method of Burke so as to have included manipulating, at the receiver device in use, said one or more images of the object without the need for a feedback path to the mobile telephone system, in accordance with the teaching of Kerret, in order to enable the user to manipulate an image on the mobile device without signal propagation, since so doing could be performed readily

and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

***Examiner's Note:*** *The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the applicant. Although the specified citations are representatives of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.*

### *Response to Arguments*

Applicant's arguments with respect to claims 83-129 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Talia F. Crawley whose telephone number is 571-270-5397. The examiner can normally be reached on M-F, 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Gart can be reached on 571-272-3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/T. C./
Examiner, Art Unit 3687
02/17/2009

/Matthew S Gart/
Supervisory Patent Examiner, Art Unit 3687